

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v. : CRIMINAL ACTION

:
KABONI SAVAGE : NO. 07-550 - 03
ROBERT MERRITT : NO. 07-550 - 04
STEVEN NORTHINGTON : NO. 07-550 - 05
KIDADA SAVAGE : NO. 07-550 - 06

O R D E R

AND NOW, this 23rd day of January, 2013, upon consideration of Defendants' Joint Defense Motion to Compel Access to Witnesses (ECF No. 779), and the Government's Response thereto (ECF No. 880), it is **ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part as follows:

- A. Defendants' request to compel the Government to make the twelve witnesses listed on Ex. 1 to the Motion available for interviews is **DENIED**.
- B. Counsel for Defendants are permitted to submit to the Court a written request for an interview to each of the witnesses listed on Ex. 1 to the Motion.¹ Upon

¹ The written request shall substantially conform to the following:

Dear [name of witness]:

I represent [name of Defendant] in the case captioned *United States v. Kaboni Savage, et al.*, No. 07-550. As you may know, trial is scheduled to commence on January 28, 2013. On behalf of [Defendant], I am requesting to speak with you prior to the start of the trial in order to gather information about [Defendant's] case. You should understand that you are under no legal obligation to accept this invitation or to deny it.

Please indicate on the enclosed form whether or not you are willing to submit to an interview with legal counsel, sign the form on the line where your name appears, and

approval by the Court, the Court will direct the United States Marshal's Service to deliver the requests to the twelve witnesses in custody. The requests shall contain a separate form on which the witness may indicate whether or not he or she will consent to an interview. These forms will be returned to the Court by the Marshal's Service. Upon receipt of these forms, the Court will notify defense counsel about the witnesses' willingness to be interviewed.

IT IS SO ORDERED.

BY THE COURT:

/s/R. Barclay Surrick
U.S. District Judge

give that form to the United States Marshal, who will return it to the Court.

Sincerely,
[Name]